

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Muller *et al.*
of:

Serial No.: 10/535,004

Filed: May 11, 2005

For: METHODS OF USING AND
COMPOSITIONS COMPRISING (+)-
3-(3,4-DIMETHOXY-PHENYL)-3-(1-
OXO-1,3-DIHYDRO-ISOINDOL-2-
YL)-PROPIONAMIDE



91 01196
JC06 Rec'd PCT/PTO 30 AUG 2005
EXPRESS MAIL NO.: EV475141303US

Confirmation No.: 9094

Art Unit: To Be Assigned

Examiner: To Be Assigned

Attorney Docket No.: 9516-058-999

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("Notification"), mailed August 24, 2005, and in connection with the above-identified application, Applicant submits herewith:

(1) a copy of the Declaration executed by George W. Muller and Roger Shen-Chu Chen.

Late filing fee of \$130 is believed due for this submission. However, if the Patent and Trademark Office determines otherwise, please charge the required fee to Jones Day Deposit Account No. 50 3013. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Yeahsil Moon (Reg. No.)
09/12/2005 GFREY1 00000147 503013 10535004
For: Anthony M. Insogna 52,042
JONES DAY 35,203
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Date August 30, 2005
09/12/2005 GFREY1 00000147 503013 10535004
01 FC:1617 130.00 DA

Enclosures

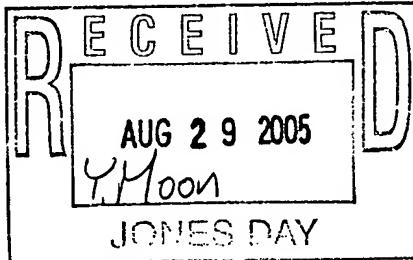


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,004	George W Muller	9516-058-999

Jones Day
 222 East 41st Street
 New York, NY 10017



INTERNATIONAL APPLICATION NO.

PCT/US03/36740

I.A. FILING DATE

PRIORITY DATE

11/17/2003

11/18/2002

CONFIRMATION NO. 9094

371 FORMALITIES LETTER

OC000000016846576

OC000000016846576

Date Mailed: 08/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/11/2005
- Copy of the International Search Report filed on 05/11/2005
- Copy of IPE Report filed on 05/11/2005
- Request for Immediate Examination filed on 05/11/2005
- U.S. Basic National Fees filed on 05/11/2005
- Specification filed on 05/11/2005
- Claims filed on 05/11/2005

*Oath/Declaration and
 Fee Due 10/24/05. (R)*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2950 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3080** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 2950**
- **\$2950** for **85** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,004	PCT/US03/36740	9516-058-999

FORM PCT/DO/EO/905 (371 Formalities Notice)